## CLERK M'DONALD'S THEFTS.

SPECIAL SESSIONS JUSTICES ESTI-MATE THEM AT \$4,800.

He Was Recommended by Eminent Reform ers, Clergymen, and Grand Army Posts, and Apparently Began Misappropriating Funds as Moon as He Got the Job

His Bond Was Ridiculously Samil, Theodore F. McDonald, the Clerk of the Court and held in default of \$10,000 bail by Justice Jerome, said he guessed he didn't have anything to say for publication yesterday. His lawyer, Abraham Levy, was with him a large part of the morning. Mr. Levy said he didn't think it best to make any statement at the present time. McDonald's shortage is officially stated to be between \$4,000 and \$5,000. McDonald, it may be stated here, is an ideal of the reform element of the community. The Evening Post, to use an expression of Insect O'Connor, "trew fits" when his appointment was announced. McDonald had been boomed for one of the Justiceships. He was recommended for the place by about forty reform lawyers, twenty clergy-men, forty five Grand Army posts, two Justices of the Supreme Court, Adjt.-Gen. Mc-Alpin, large numbers of Brookfield Republicans, and the list was concluded like this: "I heartily concur, Chauncey M. Depew," and "So do I, Wager Swayne." There were personal letters from many of the men, and in the printed summary of them which McDonald got up he told the Mayor that if he (the Mayor) was looking for that measure of ability and integrity that he (the Mayor) ought and was expected by his friends to look for, he couldn't do better than to give one of the places to "Yours truly, Theodore F. McDonald."

The Mayor has not explained yet why he Aid not appoint Mr. McDonald a Justice. But when he didn't, McDonald's application went in for the \$4,000 job of Clerk, and the Mayor was in favor of his getting the place. The Justices gave it to him. McDonald sat in court as Clerk only once. He couldn't handle the business and was relegated to his desk up stairs. The real work of the Clerk has been done since by his assistants except so far as handling the money is concerned. That Mr. McDonald handled himself. The law says that all money collected for fines shall be turned bonded official, who shall within thirty days transfer it to the City Chamber-

McDonald handled himself. The law says that all money collected for fines shall be turned over to a bonded official, who shall within thirty days transfer it to the City Chamberlain. McDonald was only \$1,000. But that was considered sufficient for a reformer.

The system followed in the court is this: Fines are collected by the roundsman on duty. They are turned over to Deputy Cierk Fuller, and at the end of each day the money is sent to the Cierk, who deposits it in the bank in his own name. There are half a dozen records of the amount received kept by others than the Cierk. First it is endorsed on the bapers in the case. Mr. Fuller keeps a record. It is entered in a fine book. It is also entered on the regular record books of the court. To cover shortages by altering the records would be practically an impossibility, and this was not done. McDonald's work lately has been worse than it was at first, and about the middle of December the Justices talked about getting rid of him. They did not suspect anything was wrong with his accounts, but they thought that they might find something on which to base a charge of incompetence, and so they decided to investigate the office. Justices Hinsdale and Hobrook made an official statement yesterday of all that has follows:

"During the list week in December the Justices of the Special Sessions appointed Justices of the Special Sessions appointed Justices of the Special Sessions appointed Justices Hinsdale and Hobrook a committee to examine the office of the Cierk of the court. At that time no suspicion rested in the mind of any one of the Justices that there was anything wrong about the money matters of the Cierk. The appointment was simply to make a general examination as to the methods of conducting business in the office. Justices Hinsdale and Hobrook entered upon the examination on Monday morning, and spent almost the entire day it is examination as to the methods of conducting business in that way, and he stated that from the papers sent up it would be easy to make up

day morning.

"It should be stated that Mr. Justice Hol-

"It should be stated that Mr. Justice Holbrook on Tuesday afternoon went to the Fresident of the Franklin Baok and endeavored to procure from him a statement of McDonald's accounts, but the Fresident refused to give any such information, although he was advised by Mr. Justice Holbrook that Mr. McDonald was a public official, and that he Gustice Holbrook) was a Justice of the court.

On Wednesday morning, at 11 o'clock, Justices Hinsdaic and Holbrook were at the court room to meet Mr. McDonald and to receive the Chamcerlain's check at that time, pursuant to the appointment. On arriving there they were informed that Mr. McDonald had left at 10 o'clock that morning and stated that he would be back at 20 clock. This very unusual proceeding caused a good deal of anxiety to the Justices present and they determined that one of them should remain until 20 clock, so that if Mr. McDonald appeared at anytime they should be able to take such action as might be necessary. Mr. Justice Hinsdaie remained until 20 clock, at which time Mr. McDonald failed to appear. At about 2:30 a telephone message was sent to the Central Office for a detective to come down immediately. The situation was fully explained to the detective who was directed to aspertain the whereahouts of Mr. McDonald. It was determined that at least Mr. McDonald. It was determined that at least Mr. McDonald should be under the eye of the police from that time.

"Later in the day all the Judges assembled.

who was directed to assertain the whereabouts of Mr. McDonald. It was determined that at least Mr. McDonald should be under the eye of the police from that time.

"Later in the day all the Judges assembled, and, under an arrangement with the Police Department, it was agreed that Mr. Justice Jecome and Mr. Justice Jacobs should hold themselves in readiness at the City Club ready to take such action as might be necessary if Mr. McDonald was brought in. About 11 o'clock at night Mr. McDonald was brought in. About 11 o'clock at night Mr. McDonald was brought in, and he there asserted that his money was in bank all right, and was indiamant to think he was put under police surveillance, and he asked to be relieved from that indignity. That was declined, and it was finally agreed, at his request, that he should remain under the surveillance of the detectives, and that they might spend the night wherever they pleased. Subsequently the detective and Mr. McDonald agreed between themselves that it would lead to less publicity if he want to Police Headquarters and occupied a room there—not a cell—and remain until morning. About 11 o'clock on Friday morning a message came from Police Headquarters that Mr. McDonald complained that he was deprived of his liberty without a charge having been made against him, and it was immediately arranged that Mr. Justice Jerome should proceed to Police Headquarters and, if he wished the charge to be made, that he should be put uniter arrest immediately. Mr. McDonald thereupon requested that the arrest should not take place until 4 o'clock on Friday afternoon, but that he should be at liberty, in company with a detective in citizen's dress, to ge to anybody or to any place in this city he might wish to visit for the purpose of getting his money.

go to anybody of to any place in this city he might wish to visit for the purpose of getting his money.

"At 4 o'clock on Friday he came into the office in charge of Detective Foye. The night before, at the City Club, Mr. McDouald had been induced to sign a blank check with a written authority to the President of the Franklin National Bank to fill the same up for the exact balance found in his bank, and to certify the same, returning his check book and accounts to the Judges of the court. The statement of the accounts and the check were uncelved at the Court House, at the Judge's chambers, about half past 4 Friday afternoon—all the Judges being present—and disclosed that, instead of there being \$5,000 in his bank, which he represented was there on the previous evening, there was only about \$1,033. This was certified by the bank, ane Mr. Mebonald stated that that was all the money he had there. Mr. McDourde was then questioned very severely by Mr. Justice Hayes as to what he had done with the money, and would give no clear statement about it, was dumb to many of the questions, and ramiding in his statements, but did state that he was in debt about \$2,000 when he received the appointment, and that he used some or this money to

pay his personal debts, Mr. Justice Hayes tried to develop the financial resources of Mr. McDonald to see if it was possible for him to make good the defalcation, but he had to give

it in as a hopeless task.

"With great reluctance, and after full consideration, all the Justices determined that Mr. McDonald had all all the opportunity. Mr. McDonald had all the opportunity Mr. McDonald requested him to keep the same arraigned before Mr. Justice Jerome, as a Magistrate sitting, and Mr. Justice Hinsdale swore to a charge of embezzlement of one tiem, picked out from a large number of other items, in the amount of \$40. After the usual examination Mr. McDonald requested that a hearing be had on Saturday, the 18th of January, and the hearing was set down for that day. Bail was then fixed at \$10,000. Mr. McDonald pleaded to be set at liberty, but it was not deemed by Mr. Justice Jerome to be within his power, as a sitting Magistrate, to do anything else but to commit him. He did say to Mr. McDonald, however, that he would be subject to call at his house at any time of night, to accept bail if bail could be procured, and that he would come down to the Tombs at once and discharge that duty. No such call was received.

"When Mr. McDonald was appointed he was unknown to any of the Justices except one, who had a slight acquaintance with him. The pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was an applicant for the pagers on which he was a pager of the originals have been perfectly in accord, and have agreed at every material step. Fairful as his about 54. Son he his heat of the court of the fore the formal w

of November.

McDonald will have a hearing next Saturday. In the mean time every effort will be made to raise money and make good the deficiency, in the hope of stopping prosecution.

"UNDERVALUED" TEXTILES. Importers Talk About Forming a Protective

Chairman Dingley of the Ways and Means Committee of the House of Representatives is reported as having said to a Tribune corresponof imports, especially on textiles, and to do this toms Administration act introduced and have excited dry goods importers, and they talk of forming a protective association.

During the past two months advances in invoices have been more frequent than ever, and one cause is set down as the result of the advancing market for all raw materials. The importers naturally entered protests, and they say the Government cannot hold them accountable for something which does not lie in their

able for something which does not lie in their power to prevent.

On Friday General Appraiser Somerville appeared before the Ways and Means Committee and argued that the penalty should be limited to 100 per cent., and that the decision of the Board should be final and not reviewable by the courts. He said he believed that not more than five per cent. of the advances were due to intentional fraud. He recommended an amendment to the existing law whereby importers would be compelled to pay for their merchandise in the currency of the country of production.

merchandise in the carrency of the country of production.

A well-known importer and large retail dealer said yesterday: "It is impossible to buy goods in the currency of the country of export. There has been a revolution in the importing tradle within the past five years that has turned things about so that they can hardly be recognized. I send my buyer to trent liritain, France, or Germany to select certain goods, and when he goes to a manufacture and asks him to quote prices in the currency of the country he is simply laughed at, and told that he can buy the goods for so much sterling, or delivered in New York at such a price.

of the country he is simply laughed at, and told that he can buy the goods for so much sterling, or delivered in New York at such a price.

"That means two prices, but the sterling price is equal to the New York price, when transportation and customs charges are added. Besides, if the manufacturer quoted prices in the currency of his country he would put himself in a bad hole, for there would be a wide discrepancy in home and foreign market values. Importer is only a name these days. We merely go over to Europe to select our goods, and they are delivered direct or through a resident agent, but nevertheless the price is the value in this market with duties and other charges paid.

"Another phase of the situation which should be considered is the effect of the orders of a very large buyer on the market. In England they conduct business on an entirely different basis. One house sells mourning goods, another linens, and other houses handle silks, millinery, &c., exclusively. They are all large buyers, and when they send a buyer to a Continental market there is no telling what the effect will be. Take a slik buyer in Lyons, France. He represents a large mourning goods house, and is there to take or leave a large quantity of black silks.

"He goes around the market, and if he should buy a heavy invoice, immediately after he leaves the market may advance a franc, or if he does not buy it declines a franc. Now, where does that leave the American importer, so called? Simply, it leaves him in a hole. He may have bought with the Englishman and paid the same prices. His invoices are made up on that basis, and on the day of shipment the market advances a franc, and when the goods reach America he is hauled up and his invoice is advanced. That is one condition, but the American buyer would be in as bad a hole if he had bought with these manufactured in this country. Importers hold that this is inconsistent, because staples of other countries don't compete with those of other countries don't compete with those of other countr

END OF THE CHASE BALE.

Small Prices for the Rings 821,252.50 the Total Proceeds.

The sale of the collection of works of art and bric-A-brac belonging to William Merritt Chase was ended yesterday afternoon at the American was ended yesterday afternoon at the American Art Galieries on Madison square. About 300 rings were disposed of. The prices realized were smail, the bidding starting at \$2 in all cases and seldom going above \$5. The last three rings on the list brought the largest prices. One of gold, with a large opal set in diamonds, sold for \$110; another with a carved emerail surrounded with diamonds brought \$102.50, and a state occasion ring of an East Indian prince was bought for \$85. The proceeds of yesterday's sale were \$1.748.50, and the amount realized on the entire collection \$21,252.50.

Brooklyn's County Park Commission.

Brooklyn is to have a County Park Commis-sion of three members, and it will be their duty to look after the laying out of the new parks

BUSY SWINDLER BRIGHAM.

HAD AT LEAST THREE GAMES GOING AT ONCE HERE.

Did Williamson Out of 8250 and Minrath Out of \$500, Pending His Attempt on White & Spate-Says He Has Swindled Wm. R. Ornee, Evan Thomas, and Others -Got 8250 from John McClave Once-Ident fled as the Lincoln Bank Swindler.

Paul Brigham, the swindler who was agrested ral names to the list of his victims, was ar raigned yesterday morning as a suspicious person in the Centre Street Police Court before Magistrate Brann. Detective Rynders and his prisoner arrived at the court room at 10:30 clock, and Brigham was at once pushed up on the bridge. He was nervous and gripped the rail tightly. He had no lawyer, and asked a reporter if he was an attorney. The reporter said no, and Brigham remarked that he wanted a lawyer. He refused to say anything about his case beyond remarking that he might have a hard time getting out of trouble. Magistrate Brann

remanded him until this morning. To the Clerk Brigham said he was 69 years old and lived in Boston. There are two charges that may be made

against the swindler, and others are coming up all the time. The New York Hollow Ware Company of 243 Water street lost \$250 through his recent operations. Brigham called at the office of the company on Dec. 7 and said that he had money to invest. He suggested that a corporation be formed, and that Robert S. Williamson of the hollow ware company be the President-Treasurer, and manager. Mr. Williamson was willing to extend his business, and Allen & Talmage, lawyers, of 320 Broadway, were en raged by Brigham to draw up the papers. The papers were satisfactorily drawn, and were signed by Mr. Williamson and Brigham. It was secessary that they should be filed in Albany and in the County Clerk's office, and Mr. Allen, who did the work for his firm, asked Brigham for some money. Brigham said he had no cash to spare, but he handed over a check for \$250, drawn to his order by Mr. Williamson He asked for \$75 change, which he said he needed. Mr. Allen gave him the \$75 and had the check cashed. On Monday Mr. Allen went to Albany and filed the papers. On Tuesday he came back. On Wednesday he had the papers recorded here, and on Thursday Mr. Williamson and Brigham met in Mr. Williamson's office and

to Albany and flied the papers. On Tuesday he came back. On Wednesday he had the papers recorded here, and on Thursday Mr. Williamson and Brigham met in Mr. Williamson scanned elected themselves officers and directors in the company. Mr. Allen was present, and and elected themselves officers and directors in the company. Mr. Allen was present, and and elected themselves officers and directors in the company. Mr. Allen was present, and and the vittled the offices. Brigham offered Brigham and Mr. Williamson secured an attachment against Brigham for \$500. It was served on Property Clerk Harriot at Police Headquarts to attach any property of the awindier that is in Mr. Williamson declined to disease the easy yesterday. He refused to say how he came to employed alter & Talmage to look out for his independent of the property of the awindier that is in the property of the awindier that is in the was conducting the negotiations with White & spate, the Twenty-third street produced with the production of the probability of the productions with White & spate, the Twenty-third street produced with the production of the pro Mr. Spate said that Brigham was peculiar, and always bought goods without due examination. He said that Brigham wouldn't make a will, and that there would be a fight when he died. Finally, Mr. Spate said, Brigham was angry and had bought the gems of Kohn.

Mr. Barthman felt as though he had made a blinder. Mr. Spate promised to try to get Brigham to reconsider his determination, and referred Mr. Barthman to Lawyer Minrath of Hoadly, Lauterbach & Johnson's office. Spate told Barthman to call him upon the dephone at probleck on Friday morning, and promised to let him know whether Brigham wanted the jewelry. Mr. Barthman went to see Mr. Minrath until 0:45. Mr. Minrath did not appear, and so Mr. Barthman tolegraphed to Mr. Spate to see if Brigham wanted the jewelry. In answer he got a quick and decisive "No." That was the last he knew about the matter until Brigham's arrest was reported yesterday.

Lawyer Minrath lost 5300 through Brigham. He said yesterday that Brigham came to him on Dec. 31, mentioned the name of a client, and brought a letter from the Blackstone National Brank of Boston. It is said that Mr. Thomas C. Platt is the firm's client whose name was used by the swindler. Brigham wanted a contract drawn up between him and White and Spate. The contract was drawn up and signed reculiarly. The next Mr. Minrath saw of Brigham was on Friday, when Brigham called at the office to talk about the contract. He said he wanted a little money, and asked Mr. Minrath is out \$500. Mr. Lauterbach said yesterday that he should insist on Brigham's being prosecuted on account of this transaction.

Acting Cautain O'Brien telegraphed to Superintendent Watts of the Boston tolice yesterday to learn whether Brigham was kneek for \$2,500, Mr. Lauterbach said the Brigham recently went be Freedmen's Hank of Beston received through the Clearing House a worthless check for \$2,600, drawn by Brigham. The victim's name is not known.

It is said that Brigham recently went to a Fifth avenue physician who had a yacht to sell

men's Bank of Boston received through the Clearing House a worthless check for \$2,600, drawn by Brigham. The victim's name is not known.

It is said that Brigham recently went to a Fifth avenue physician who had a yacht to sell and offered to buy it for a third party. His commission was to be 10 per cent. The price of the yacht was \$14,000. He offered a check for that amount in payment. The Doctor took him to a bank and identified him, so that he got a check for his \$1,400 commission cashed. The Doctor then discovered that the check given by Brigham was bogus.

Ex-Postmaster-General James, who is President of the Lincoln Hank, and Cashier Cornell of that concern, and Chas. S. Higgins, the soap man, went to Police Headquarters last evening and identified Brigham as the man who, under the alias of Coleman, got \$6,500 from the bank on deposit of a worthless check. Capt. O'Brien said he would make public to-day some additional swindling schemes which Capt. O'Brien said that in a statement made yesteriay Brigham saw he had swinded ex-Mayor William R. Grace. Evan Thomas, the President of the Produce Exchange and Mr. Arnold, of Arnold, Constable & Co. Brigham said that he got \$0,000 from Mr. Arnold.

Partisson, Jan. 11. Brigham is well known in this city under the name of David J. Coleman, in the summer of 1868 Mr. G. W. J. Landau, a silk manufacturer, read an advertisement in a New York bater stating that a centisman of means had \$10,000 to invest. Landau wrote to the advertiser for references and received them. Later a New York lawyer came to the city with Coleman to Investigate Landau wrote to the advertiser for references and received them. Later a New York lawyer came to the city with Coleman to Investigate Landau sproperty. Caleman or Brigham and Landau agreed to form a partnership, Mr. Landau a scentisman of means had \$10,000 to invest. Landau wrote to the advertiser for references and received them. Later a New York lawyer came to the city with Coleman to Investigates for \$100,000 worth of stock in the Higgins

INCORRIGIBLE JAMES HYER.

Wound Up a Career of Mischief by Threat-

Mrs. Ellen Estelle Hyer, a widow, who lives with her mother and three children at 133 West Eighty-third street, has a son 13 years old who holds the record for incorrigibles or the upper west side. The boy, whose name is James, is a fine-looking, bright-eyed young fellow with the build of an athlete. He is 5 feet 6 inches in height and he weighs 125 pounds. . Ever sin cehe was five years old he has given his mother no end of trouble, and he kept his little brother and sister in a state of cluded a threat to kill Mrs. Hyer and commit suicide, wound up with his appearance in Yorkville Court yesterday, and he will probably spend the rest of his minority in the House of Refuge.

When the boy was only seven years old he

visited in Mount Vernon. There he was chum-

my with several other boys of his own age, who

were predisposed to lawlessness. One day

James and a companion wavlaid a little col ored girl on the public street, knocked her down, and robbed her of 25 cents. For this offence he was locked up, and it was only through the strenuous efforts of his mother that the authorities consented not to send him to an institution, and Mrs. Hyer brought her son back to New York. She was a teacher of music, and suqsequently she was employed by the editor of a trade journal in East Twentythird street. Her business took her from home during the day, and she was afraid to leave her other two children alone while James was

Hark!!!

To the Voices of the Grateful The greatest of all fame spreaders are the loosened tongues of those made well.

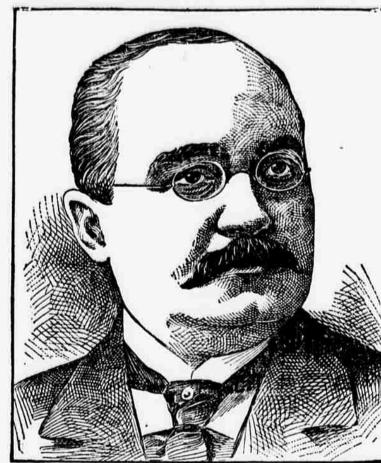
FROM THE EAST.

Mrs. J. SPARKS, 175 West 95th st., New York city: "I have used Humphreys' Specifics for years. I cannot praise them too highly. "' 77' has proved a blessing." Mrs. W. F. HANCOCK, Mariboro, Mass., "I used '77' with great success."

E. E. PIERCE, Pastor of Church of Christ, Clarios Ia., writes: "' 77' has cured a bad Cold in my wife the only used one-fourth of a bottle." FROM THE NORTH.

W. R. STEVENSON, Hallomet, Ottawa county, Mich.: "I had a very bad Cold; I used three bottles

## Brigham. E. T. Bell, cashler of the First National Bank, advised Landau to telegraph to the Columbia National Bank and ask if Coleman was all right. Mr. Landau did so and recount with that institution. To risk Entron or The Sun—Sir: In the account with that institution. To risk Entron or The Sun—Sir: In the account of the arrest of "Paul Brigham" I read the statement that he said that he once had a transaction with a said that he once had a transaction with a said that he once had a transaction with either him or any one else. So,000, and that he would not go into details. The statement is absolutely false. I do not know the man and never had any such transaction with either him or any one else. So,000, and that he would not go into details. The statement is absolutely false. I do not know the man and never had any such transaction with either him or any one else. So,000, and that he would not go into details. The statement is absolutely false. I do not know the man and never had any such transaction with either him or any one else. So,000, and that he would not go into details. The statement is absolutely false. I do not know the man and never had any such transaction with either him or any one else. So,000, and that he would not go into details. The statement is absolutely false. I do not know the man and never had any such transaction with either him or any one else. So,000, and that he would not go into details. The statement is absolutely false. I do not know the man and never had any such transaction with either him or any one else. So,000, and that him or any one else. So,000, and him



be posted the general order-Rush! The busiest concerns in the busiest streets are sluggards compared with these newsgathering hives where human fingers and brains are

matched to keep up with machinery. The brunt of this fatiguing mental strain, un avoidable in getting out one of the big city dailies, for example, the Chicago Evening Journal, falls on its business manager—in the case of this oldest daily in Illinois, Colonel Frederick C.

Chicago, a city of early and late workers. Brain workers in every profession will thank Colonel Pierce for the following statement recently

"For several years I have been troubled with

sick headache, caused by constipation; otherwise I have always been in perfect health, and never sick but for two weeks in my life. This sick headache has been very annoying. I have taken a number of different medicines which have been used and recommended by others, but not until I took Paine's celery compound did I find any relief.

"This season I took one bottle and was not troubled with headache for at least six months. Since that time I have kept the medicine in the office and used it occasionally, and have not been troubled with headache since.

"I have recommended it to a number of my friends, who have been benefited as I have. For a person who is disposed to constipation, it is unquestionably one of the best medicines that there is on the market to-day.

"Yours respectfully.

"Yours respectfully.

"Business Manager Chicago Evening Journal."
A black cloud is no surer indication of an aphave been used and recommended by others, but

proaching storm than persistent headaches are of dangerous debility.

There is no one specific that can permanently cure headaches unless it goes to the seat of the trouble. The great nerve and brain restorer, Paine's celery compound, does get rid of them, and leaves no chance for their return, because the deep-seated cause—the weakened nervous system—at last is supplied with the food it has so eadly felt the need of.

The best physicians in every city in this country prescribe Paine's celery compound where a rapid bullating up of the system is imperative. As an invigorator in cases of nervous exhaustion, sleeplessness, and a poor state of the blood it is the mainstay of the ablest practitioners throughout the United States.

A mere glance at the faces of weak, nervous, run-down persons after they have begun to use this greatest of all remedies, shows how rapid is the nourishing effect of Paine's celery compound.

There are thousands upon thousands well today because they used Paine's celery compound.

IRVING BONDS RECOVERED.

MISS IRVING FINDS THEM IN THE SAFE DEPOSIT BOX.

he Issues a Statement Completely Ex-onerating the Lincoln Safe Deposit Vault Company-No Explanation Offered as to Where the Bonds Had Been, The \$20,000 worth of bonds owned by Mrs. which were reported missing on Dec. 23 from her box in the vaults of the Lincoln Safe Deposit Company, in West Forty-second street, were found intact in the box yesterday morning. Yesterday was the first time the box had been searched since it was reported that the securities were missing. Since then Mrs. Irving has been confined to her bed, sick, it is said, from worri-

ment over the loss of her property.

There were only two keys to the box in the her elder daughter, Evangeline, an actress, held other. Mother and daughter owned th box jointly, and they were the only persons who had access to it. Evangeline has been on a tour with a theatrical company and did not return to

this city until Tuesday.
Yesterday morning, accompanied by her sister Wells, the junior member of the law firm of Lexow, Mackellar & Wells of 19 Liberty street, Mrs. Irving's attorneys, Miss Irving visited the safe deposit company. Miss Evangeline Irving having a key, no objection was made to her opening the box. A representative of the safe deposit company was present when she did so.

In the rear of the box a bundle was found

which had newspaper wrapping. When the newspaper covering was removed a big brown envelope was disclosed. Inside of this envelope the missing securities were found. Miss Irving appeared to be greatly surprised at finding the bonds and her lawyer was considerably excited. The representative of the safe deposit company notified John R. Van Wormer, the Secretary of the company, of the finding of the missing securities. Every one interested then went to the Secretary's office, where the bonds were examined and found to be the ones that were re-

amined and found to be the ones share ported lost.
Secretary Van Wormer then asked Miss Irving to give him a written statement exonerating the safe deposit company from any blame in the reported loss of the bonds. Miss Irving was perfectly willing to do so, and wrote the following:

the following:

To the Public:

You are hereby advised that the bonds and securities which were in a safe in the Lincoin Safe Deposit Company's vaults, and which were believed to have been found this day in the safe. In which they had been found this day in the safe. In which they had been since they were originally placed there by Mirs. Irving: It is due to the Lincoin safe Deposit Commany and to Mrs. Irving's health on the Child of December. IsNS. was such as to have occasioned the misunderstanding which arose, and which she profoundly regrets.

"I guess that will cover it all," she said as she handed it to Secretary Van Wormer.

"Yes, that covers it fully," he said after reading it, "but we would like to have your lawyers sign it."

sign it."
"Certainly," said Miss Irving, "Mr. Wells will sign it."
Young Mr. Wells, however, wouldn't sign the statement until he had talked with the senior members of his firm. Then the ladies and the lawyer left together. Mr. Wells went directly to his office, where he talked over the signing of the statement with George M. Mackellar, who is Mrs. Irving's representative. Half an hour later Mr. Mackellar called up the safe deposit company on the telephone and said he wanted to talk to Mr. Van Wormer. The secretary went to the phone in answer to the call, "We have decided not to sign that statement written by Miss Irving," said the lawyer.
"I don't give a datum whether you sign it or not," retorted Mr. Van Wormer hotly. I'll make it public just as it is."
The statement was made public without the signature of the law firm. When Mr. Van Wormer was asked about the missing bonds he said:
"On Dec. 23 Mrs. Irving came into my office." bertainly," said Miss Irving, "Mr. Wells

W. R. STEVENSON, Hallomet, Ottawa county, Mich: "I had a very bad Cold; I used three bottles of '77; it cured me quick."

Mrs. FRED. W. Gilbert, Chicago, Ill. "I have used your Specifics with the best results, especially '77; for Grippe."

PROM THE SOUTH.

P. STILLWELL, New Orleans, La.: "I have found '77 very effective."

Mrs. HUGH MAYER, Princeton, Ky.: "I used '77 for Grip and Colds; am so much pleased with the success of it that I want some more."

Small bottles of pleasant pellets—fit your vest poicket; sold by druggists, or send on receipt of prince, i.e. the for \$1.00. Humphreys' Medicine Co., 111 and 118 William st., New York.

For elegant Furs, newest styles, go to C. SHAYNE, Manufacturer, 124 and 126 West 42d St. Prices Greatly Reduced.

since then over 2,500 persons have called here to examine their boxes and see if their property was secure. Now, the bonds are found in the box. If Mrs. Irving's lawyers had acted in a business-like way at the beginning, the box would have been searched at the outset."

Benator lexow, who came down to his office late yesterday aftenoon from his home in Nyack, had very little to say about the recovery of the bonds.

Nyack, had very little to say about the recovery of the bonds.

Ale did say that Mr. Van Wormer told him that he had searched the box with Mrs. Irving at the time she reported her loss and that he was satisfied that the securities had been removed. This does not agree with the statement made by Secretary Van Wormer.

Miss Evangeline Irving refused yesterday to say anything about the recovery of the bonds. Her mother could not be seen.

CRACK FENCERS 10 HAVE A BOUT. Racquet Club Men Will Hold a Tourne

A series of fencing bouts will be held under distinguished social patronage at Sherry's next Saturday afternoon, and the purpose of the entertainment is to create an interest in the sport invitation only, and the participants will be Emile Gouspy, fencing master of the Racquet and Tennis Club, and Louis Pondelle of Boston, as well as a number of amateurs. including Fitzhugh Townsend. Richard Peters, John Drew, Reginald Ronalds, Whitney Warren, H. K. Bloodgood, W. T. Lawson, Ellis Hoffman, and others. The programme will include bouts with foils, duel-ling swords, and sabres. M. Gouspy is a graduate of Ecole de Joinville, and was formerly adjutant maitre d'armes of the Thirty-fifth French Artillery. The cards of invitation ask the guests to an "assout" offered to him. The bouts will commence at 5 o'clock.

"The entertainment is given," one of its promoters said yesterday to a SUN reporter, "In the moters said yesterday to a Sin reporter, "In the hope of encouraging the most gentlemanly of sports. As an indoor exercise it is hard to see why our men and women do not do more of it because of the employment it gives to the muscles both of the upper and lower parts of the body, and the manner in which it developes the chest and improves the carriage. A Frenchman once remarked to me that although our American women are often beautiful. It is rare to find one with a fine bearing, who walks with her chest thrown out and carries herself well. Fencing is as necessary to men's manners as dancing, and it is greatly to be regretted that they are not taught it when young. Unconsciously it imbues them with the chivalrous spirit. One of the excuses for not taking it is the length of time it requires to learn the sport. It's a popular saying that after ten years' hard work one knows only enough to go out and be run through gracefully. As a matter of fact, with a little patience and steady work for three or four maths, one may become quite proficient and derive pleasure and benefit from the sport. These bouts will be given in order to attract attention to the advantages of feming as an indoor sport for our people.

The bouts are to be tinder the direction of Whitney Warren, W. T. Lawson, and H. K. Bloodgood, and it is said that care will be taken to make the exhibition the finest ever given in this country. The following ladies will act as pattonesses:

Mrs. Friederick Allen, Mrs. Astor, Mrs. J. J. Astor, Mrs. J. Friederick Allen, Mrs. Howling Mrs. Honoring, Mrs. Friederick Allen, Mrs. Gravel, Mrs. Howling, Mrs. Honoring, Mrs. Following, Mrs. Honoring, Mrs. Following, Mrs. Gravel, Mrs. Astor, Mrs. J. J. Astor, Mrs. J. Friederick Allen, Mrs. Standard, Mrs. Honoring, Mrs. Honoring, Mrs. Following, Mrs. Honoring, Mrs. Following, Mrs. Following, Mrs. Honoring, Mrs hope of encouraging the most gentlemanly of

Winding Up with a Divorce Suit in New

dersey.

George L. Lott, a member of the old Flatlands family of that name, was declared an habitual drunkard by the Suprema Court in Brooklyn, three years ago, and the Hamilton Trust Company was made, committee on as \$50,000 estate. His wife separated from him after the legal proceedings, and removed to New Jersey. Last week she began a suit against him for divorce, and yesterday Justice Gavnor of the Surreme Court, in Brooklyn, authorized the Trust Company to advance to Mr. Lott, \$600 to pay the expenses of defending the suit.

SUGAR TRUST'S ANSWER.

REPLY OF THE COMPANY IN THE REVOCATION PROCEEDINGS.

Denial that Business Is Being Done Illegally or that Prices Are Controlled-No Restrictions Imposed on Sales of Sugar. ALBANY, Jan. 11.-The American Sugar Refining Company to-day filed its answer with Attorney-General Hancock to the application asking that the company be restrained from doing business in this State, on the ground that the company is a monopoly in violation of the laws of the State. The answer of the company was filed by John E. Parsons of New York city. counsel for the company, who makes a general denial of all the charges made in the applica-

scheme to affect the value of the stock in W The application for revocation of the license was made by the firm of Hunt & Co., and arguments were made before the Attorney-Genera

tion, and says that the proceeding is merely a

ments were made before the Attorney-General
in Syracuse some weeks ago.

Mr. Parsons's answer quotes the laws regarding coganization of corporations in New York, and says:

"The business of the American Sugar Refining Com; any is done under and in pursuance of
this legislation. It is not only permitted, it
is grovided for by such legislation. Whatever
property the company has was acquired under
and in necordance with such legislation. The
company degles that such an incorporation is
an illegal consolidation, absorption, combination, or conspiracy. Legislation similar to
that which has been enacted in New Jersey and
in its State has been enacted in almost all of the
States of the Union. The object of such legislation is to en ourage manufacturing and other
business on a large scale, and to permit the
acquisition and use by a company of all the
property that it needs for its business. The
legislation recognizes that by the economies
and savings which are made possible, business
may be done at a profit which will tempt the
use of empital, furnish occupation to labor, and
will in the end benefit purchasers, for the reason that, as experience has shown, such arrangements result in a reduction, not in an increase

will in the end benefit purchasers, for the reason that, as experience has shown, such arrangements result in a reduction, not in an increase in price.

"A comparison of prices will show that the average price of sugar for any particular period has been less since the formation of the company than it was before. There is not the slightest foundation for the assertion that since the incorporation of the American Sugar Refining Company the previously existing firms have conducted their business in the name of that company. The previously existing companies transferred their property to the American Sugar Refining Company, for which there was issued the stock of this company, and the individual companies became dissolved.

"The company does not own the property of corporations engaged in the same business; it does not control the output or price of sugar. Any one may sell sugar, whether purchased from the company or otherwise, at any price that the seiler likes; any one may buy sugar, from any other existing refinery. The company has never made any agreement to the contrary. The Court of Appeals in the North River Sugar Refining Company's case rested its decision upon the point that the company had entered into a partnership, and that this was not permitted by its charter. As to the assertion that the North River Company was a monopoly or that it volated the law in respect of componitition and restraint of the traile, the Court of Appeals held that the question was not involved in the zease.

"It is true that it is oractically impossible for manufacturers to deal directing with all retailers. At the present time all jobbers and even all retailers whose purchases are considerable in amount buy sugar from the company at the same price. The company denies that it has refused to sell sugar to retail dealers. As the petition alleges, the business must largely be done through to keers. There is no foundation for the assertion that the business carried on by the company in this state is such as may not be knownly conduct

A horse belonging to Leonard Kalisch of Newark ran away in Morris and Essex Railroad averue in that city vectoring afternoon and raced un hill with a train drawn by two engines. The driver was thrown out and the horse kept pace with the train for a quarter of a mile. Then the train drew alead and the horse turned to cross the tracks behind it. A train coming down the bill killed the horse and wrecked the

